HIGH COURT OT UTTARANCHAL AT NAINITAL

Writ Petition no. 1584 (S/S) 2005

Babu Ram S/o Sri Tungal Singh,
Marketing Inspector (Suspended),
Attached in the Office of Regional Food Controller,
Garhwal Division - 74 Kanwali Road,
Dehradun. -----Petitioner.

Vs.

1. State of Uttaranchal through Secretary,
   Department of Food & Civil Supplies,
   Secretariat, Dehradun,
2. Commissioner, Food and Civil Supplies,
   Uttaranchal, Dehradun.
3. Regional Food Controller (Enquiry Officer),
   Garhwal Region, Dehradun,
4. District Magistrate, Haridwar,
5. Deputy Regional Marketing Inspector,
   Department of Food & Civil Supplies, Haridwar,
6. Regional Finance Officer, Garhwal Region,
   Dehradun,
7. M.A. Raja, Senior Marketing Inspector,
   Roorkee, District Haridwar. ----Respondents.

Sri Rakesh Thapliyal, learned counsel for the petitioner.
Learned Standing Counsel for respondent nos. 1 to 6.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Rakesh Thapliyal, learned counsel for the petitioner and learned Standing Counsel for the State/ respondent no. 1 to 6.

Vide order dated 30.06.2004, the Commissioner Food and Civil Supplies, Uttaranchal, Dehradun passed order suspending the petitioner from services on various charges and the Regional Finance Officer, Garhwal Region, Dehradun was appointed as Inquiry Officer. The chargeshet has already been furnished to the petitioner on 20.01.2005 to which the petitioner has replied on 15.02.2005.

Contention of the petitioner is that in spite of his submitting the reply, the inquiry has yet not been concluded and the petitioner is still under suspension for more than one year.

The petitioner has confined his prayer to the extent that the respondent nos. 6 and 2 be directed to conclude the inquiry and pass final order in the inquiry.

The prayer is innocuous.

Since the chargesheet has already been served upon the petitioner to which the petitioner has replied, hence the Inquiry Officer/ respondent no. 6 is directed to conclude the inquiry within a period of six weeks from the date of receipt of a certified copy of this order and the respondent no. 2 i.e. the Punishing Authority shall pass final order in the Departmental Proceedings initiated against the petitioner within a period of three weeks from the date of receipt of inquiry report from respondent no. 6. The petitioner is directed to produce certified copy of this order before the respondents within two weeks from today. The petitioner is further directed to co-operate with the inquiry.

With this direction, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

October 26, 2005:
NCM: